UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/680,094	10/08/2003	Yasushi Kasai	03500.017624.	4435

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EXAMINER
CUTLER, ALBERT H

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>28 December 2007</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>13-22</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>13-22</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>28 December 2007</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
         application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 08-06)   **Office Action Summary**   Part of Paper No./Mail Date 20080227

DETAILED ACTION

1.   This office action is responsive to communication filed on December 28, 2007.

Claims 13-22 are pending in the application.

Continued Examination Under 37 CFR 1.114

2.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

December 28, 2007 has been entered.

Response to Arguments

3.   Applicant's arguments with respect to claims 13-22 have been considered but are

moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4.   The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

5.   Claims 13-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Van Den Hoven et al.(US 7,152,210, hereinafter referred to as Hoven) in view of

Parulski et al.(US 2003/0184656).

Consider claim 13, Hoven teaches:

An image processing apparatus(figure 1) comprising:

a reproducing unit which reproduces a part of a moving image from a storage medium during a predetermined reproduction time(See figures 1 and 2, column 3, line 45 through column 4, line 42. Key frames(i.e. parts of moving images) are reproduced in a browsing area of a display. These frames are moved in and out of the display area at a certain speed(i.e. are produced during a predetermined reproduction time), column 4, lines 30-42.);

a determining unit which determines whether or not a first button is pressed before the predetermined reproduction time is passed(As a frame of a video moves through the display area(i.e. before the predetermined reproduction time is passed), if a button of a mouse is clicked with the pointer over the frame, the video is selected, column 4, lines 53-59.),

wherein said reproducing unit reproduces not only the part of the moving image(i.e. the key frame) but also starts reproduction of the remaining part of the moving image if said determining unit determines that the first button is pressed before the predetermined reproduction time is passed(Column 3, lines 59-64 and column 4, lines 53-59).

However, Hoven does not explicitly teach that the image processing apparatus starts selection of a next still image or moving image in order to reproduce the next still image or moving image from the storage medium, if reproduction of the moving image reaches the end of the moving image.

Parulski et al. are similar to Hoven in that Parulski et al. teach of reproducing a part of a moving image(paragraph 0055, figure 5A), and of starting the reproduction of the rest of the moving image when a button("play icon", 522) is pressed(paragraphs 0055-0057).

However, in addition to the teachings of Hoven, Parulski et al. teach that the image processing apparatus starts selection of a next moving image in order to reproduce the next moving image from the storage medium, if reproduction of the moving image reaches the end of the moving image(See paragraphs 0044 and 0059. A number of video files can be played back, one immediately after the other, and treated as a single sequence.).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to start the selection of a next moving image in order to reproduce the next moving image from the storage medium as taught by Parulski et al. if reproduction of the moving image taught by Hoven reaches the end of the moving image for the benefit of creating a more versatile device in which the user has the ability to have a plurality of selected motion view segments played back sequentially without merging the actual motion video files, which could take significant computations(Parulski et al., paragraphs 0044 and 0059).

Consider claim 14, and as applied to claim 13 above, Hoven teaches of reproducing a moving image(column 3, lines 59-64), but does not explicitly teach that the reproduction of the moving image is terminated upon the press of a second button.

In addition to Hoven, Parulski et al. teach that a determining unit determines whether or not a second button(stop, 534, 386, figure 5B) is pressed during the reproduction of the remaining part of the moving image, and said reproducing unit terminates the reproduction of remaining part of the moving image if said determining unit determines that the second button is pressed during the reproduction of the remaining part of the moving image(paragraphs 0057 and 0058).

Consider claim 15, and as applied to claim 13 above, Hoven further teaches:

a display(104 and 103) unit which displays the part of the moving image(the key frame) reproduced from the storage medium(column 3, lines 45-64), wherein said display unit(104 and 103) displays not only the part of the moving image(the key frame) but also the remaining part of the moving image if said determining unit determines that the first button is pressed before the predetermined reproduction time is passed(Column 3, lines 59-64 and column 4, lines 53-59. See claim 13 rationale.).

Consider claim 16, and as applied to claim 13 above, Hoven further teaches:

An output unit(104 and 103) which outputs(i.e. displays) the part of the moving image(the key frame) reproduced from the storage medium(column 3 lines 45-64), wherein said output unit(104 and 103) outputs not only the part of the moving image(the key frame) but also the remaining part of the moving image if said determining unit determines that the first button is pressed before the predetermined reproduction time is passed(Column 3, lines 59-64 and column 4, lines 53-59. See claim 13 rationale.).

Consider claim 17, and as applied to claim 13 above, Hoven further teaches that
the image processing apparatus includes a digital camera(See column 4, lines 2-8).

Consider claim 18, Hoven teaches:

A method for controlling an image processing apparatus(column 3, line 45
through column 4, line 52), said method comprising the steps of:

reproducing a part(i.e. a frame) of a moving image from a storage medium during
a predetermined reproduction time(See figures 1 and 2, column 3, line 45 through
column 4, line 42. Key frames(i.e. parts of moving images) are reproduced in a
browsing area of a display. These frames are moved in and out of the display area at a
certain speed(i.e. are produced during a predetermined reproduction time), column 4,
lines 30-42.);

determining whether or not a first button is pressed before the predetermined
reproduction time is passed(As a frame of a video moves through the display area(i.e.
before the predetermined reproduction time is passed), if a button of a mouse is clicked
with the pointer over the frame, the video is selected, column 4, lines 53-59.);

reproducing not only the part of the moving image(i.e. the frame) but also starting
reproduction of the remaining part of the moving image if it is determined in said
determining step that the first button is pressed before the predetermined reproduction
time is passed(Column 3, lines 59-64 and column 4, lines 53-59).

However, Hoven does not explicitly teach starting selection of a next still image or moving image in order to reproduce the next still image or moving image from the storage medium, if reproduction of the moving image reaches the end of the moving image.

Parulski et al. are similar to Hoven in that Parulski et al. teach of reproducing a part of a moving image(paragraph 0055, figure 5A), and of starting the reproduction of the rest of the moving image when a button("play icon", 522) is pressed(paragraphs 0055-0057).

However, in addition to the teachings of Hoven, Parulski et al. teach that the image processing apparatus starts selection of a next moving image in order to reproduce the next moving image from the storage medium, if reproduction of the moving image reaches the end of the moving image(See paragraphs 0044 and 0059. A number of video files can be played back, one immediately after the other, and treated as a single sequence.).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to start the selection of a next moving image in order to reproduce the next moving image from the storage medium as taught by Parulski et al. if reproduction of the moving image taught by Hoven reaches the end of the moving image for the benefit of creating a more versatile device in which the user has the ability to have a plurality of selected motion view segments played back sequentially without merging the actual motion video files, which could take significant computations(Parulski et al., paragraphs 0044 and 0059).

Consider claim 19, and as applied to claim 18 above, Hoven teaches of reproducing a moving image(column 3, lines 59-64), but does not explicitly teach that the reproduction of the moving image is terminated upon the press of a second button.

In addition to Hoven, Parulski et al. teach of determining whether or not a second button(stop, 534, 386, figure 5B) is pressed during the reproduction of the remaining part of the moving image(paragraphs 0057 and 0058); and

terminating the reproduction of remaining part of the moving image if it is determined in said determining step that the second button is pressed during the reproduction of the remaining part of the moving image(paragraphs 0057 and 0058).

Consider claim 20, and as applied to claim 18 above, Hoven further teaches:

displaying the part of the moving image reproduced from the storage medium(column 3, lines 45-64); and

displaying not only the part of the moving image but also the remaining part of the moving image if it is determined in said determining step that the first button is pressed before the predetermined reproduction time is passed(Column 3, lines 59-64 and column 4, lines 53-59. See claim 18 rationale.).

Consider claim 21, and as applied to claim 18 above, Hoven further teaches:

Outputting(i.e. displaying) the part of the moving image reproduced from the storage medium(column 3, lines 45-64); and

outputting not only the part of the moving image but also the remaining part of the moving image if it is determined in said determining step that the first button is pressed before the predetermined reproduction time is passed(Column 3, lines 59-64 and column 4, lines 53-59. See claim 18 rationale.).

Consider claim 22, and as applied to claim 18 above, Hoven further teaches that the image processing apparatus includes a digital camera(See column 4, lines 2-8).

Conclusion

6.   Any objections made by the Examiner to the claims and drawings are hereby removed in view of Applicant's response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALBERT H. CUTLER whose telephone number is (571)270-1460. The examiner can normally be reached on Mon-Thu (9:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc-Yen Vu can be reached on (571)-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AC

/Ngoc-Yen T. VU/

Supervisory Patent Examiner, Art Unit 2622